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Igniting concern about refugee injustice

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Igniting concern about refugee injustice

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Brian Martin's publications on backfire

Brian Martin's publications

Brian Martin's website

Injustice is a prominent theme in the news but there is far less attention to how to be effective in opposing it. For activists, it is crucial to understand how reactions against injustice can be ignited and/or inhibited. Injustice towards refugees provides a revealing case study.

If an injustice is widely publicised to a supportive audience, sometimes it may backfire on those who are perceived as the perpetrators. For example, in 1991 Indonesian troops shot hundreds of mourners at Santa Cruz cemetery in Dili, East Timor. The massacre was witnessed by western journalists and captured on video by filmmaker Max Stahl; the news and graphic video galvanised the East Timor liberation support movement internationally. The massacre, instead of repressing the independence movement, backfired on the Indonesian occupiers by generating greater resistance (Kohen, 1999; McMillan, 1992).

But most injustices do not backfire. There had been many previous massacres in East Timor that did not

create anything like the outrage from the Dili massacres. Perpetrators have five main techniques for inhibiting backfire: covering up the action, devaluing the target, reinterpreting the events, using official channels such as formal investigations to give the appearance of justice, and using intimidation and bribery to deter opposition. These factors can be found in numerous attacks, both those that backfired and those that didn't. The Dili massacre illustrates this.

Cover-up: After the massacre, Indonesian forces cut off communication to the outside world. They alerted Australian customs officials in an attempt to confiscate Stahl's videotapes, but he wisely gave them to someone else to smuggle out of the country.

Devaluation of the target: Indonesian officials made disparaging comments about the protesters. The occupiers, dominated by Javanese, looked down on East Timorese as inferior.

Reinterpretation of the action: Indonesian officials claimed that protesters had triggered the shooting. They also minimised the number of casualties.

Official channels: The Indonesian government set up an inquiry into the incident; it whitewashed the massacre, giving token sentences to a few individuals. The Indonesian military also set up an inquiry; it followed a similar pattern.

Intimidation and bribery: After the massacre, Indonesian troops arrested, beat and killed many figures in the independence movement. On the other hand, those who cooperated with the occupiers could expect to receive incentives or maintain jobs.

In summary, the Indonesian military used all five techniques for inhibiting backfire from the Dili massacre. These techniques, especially cover-up, had worked to minimise outrage from previous massacres but, in the case of the Dili massacre, the techniques were inadequate to the task. The events were broadcast to the world, thus breaking through efforts at cover-up. Attempts to devalue the victims and to reinterpret the events had little salience with worldwide audiences, and similarly the official investigations had little credibility. Intimidation and bribery no doubt affected East Timorese participation in the resistance, but did

not affect international audiences, many of whom decided to join the East Timor support movement.

The concept of backfire grows out of the study of nonviolent action: it is often observed that violent assaults on nonviolent protesters can create sympathy and support from members of the grievance group, from third parties, and even among the attacker group (Sharp, 1973). The same process can also occur for other sorts of injustices, well outside violence-nonviolence scenarios, such as censorship (Jansen and Martin 2003) and torture (Martin and Wright 2003).

A good example is the invasion and occupation of Iraq, which stimulated worldwide protests and antagonised world opinion (Martin 2004).

Cover-up: There had been many military attacks on Iraq from 1991 until 2003, but most of these fell beneath the threshold for media interest. The US government kept quiet about its support for Saddam Hussein in the 1980s. On the other hand, the 2003 attack on Iraq was announced well in advance, enabling worldwide mobilisation of protest.

Devaluation of the target: Saddam Hussein was portrayed as the epitome of evil and likened to Hitler. This was the most effective part of the US government's efforts to build support for its attack.

Reinterpretation of the action: The US and allied governments claimed that the invasion was because of Iraq's weapons of mass destruction and links to al Qaeda. These claims were weak before the invasion and became less credible afterwards. The assertion that the aim was to liberate Iraq was vulnerable to the charge of double standards, because of the many dictatorships that were not invaded. The US government has largely lost the ongoing struggle over interpretation of the operation.

Official channels: The US government attempted but was unable to win UN support for the invasion. Many legal experts said the war was illegal. Lack of independent legitimation for the attack helped increase opposition.

Intimidation and bribery: Behind the scenes, the US government used threats and bribes to win the

backing of UN Security Council members for a resolution backing war, but these efforts were unsuccessful. Troops in Iraq have been threatened with penalties for speaking out, and likewise journalists were induced to become tame by being embedded or else, if they were independent, subject to threats. But these efforts were insufficient to stop damaging information getting out of Iraq.

In summary, the US government used all five methods for inhibiting backfire, but was successful with only one, devaluation of Saddam Hussein. Therefore it is not surprising that the Iraq invasion has turned out to be a political disaster for the invaders, with international opinion polls showing greatly reduced support for the US in most countries surveyed.

Note that backfire is an ongoing process. Every media release and government inquiry is a facet of an ongoing struggle over the meaning and consequences of the event. The struggle over injustice can last for decades. For example, the Turkish government continues to deny its role in the genocide of the Armenians in 1915.

The Treatment of Refugees in Australia

To many people, the treatment of asylum seekers and refugees in Australia is an obvious injustice warranting action. But there are many others who support, tolerate or don't care about government policy on refugees. To better understand how concern about treatment of refugees is contained, we examine each of the five methods to inhibit backfire. At the same time, we look at methods of amplifying backfire by countering or sidestepping each of the five methods of inhibition. The point of this analysis is to understand better the tactics of the government and its supporters and to offer insight for developing counter-tactics that can ignite concern about injustice to refugees.

Cover-up

Most asylum seekers who arrive in Australia by boat are imprisoned in the detention camps in remote parts of the country, where it is difficult for advocates, journalists and lawyers to visit. The government denies

journalists access to the camps, thus limiting public awareness of the treatment of detainees. Even Mary Robinson, United Nations High Commissioner for Human Rights, had difficulty gaining access to the camps.

The government strategy of imposing communications blackouts on asylum seekers has meant the public seldom knows their names or the horror of their personal stories. We would not know how physically sick and mentally traumatised the asylum seekers were while making their journey to seek a safe haven.

Devaluation of the Target

Asylum seekers are frequently labelled illegals or queue-jumpers. Putting them in detention camps suggests that they are criminals, even though 90% are found to be genuine refugees.

Asylum seekers are frequently denounced as not being genuine refugees, citing their passage through transit countries as proof. However, the government failed to add that the transit countries such as Malaysia, Indonesia and Pakistan were not signatories to the 1951 Refugee Convention. (Brennan, 2003). Further, the public was never informed that many asylum seekers had never had official papers or the means to obtain them. Despite this, and knowing that the UN Refugee Convention, to which Australia is a signatory, says that "everyone has the right to seek and to enjoy in other countries asylum from persecution," official government language persisted in describing asylum seekers as "illegals" and "unauthorised arrivals," thereby casting them as unlawful or criminal.

In August 2001, the Norwegian ship Tampa took on board 438 Afghani asylum seekers. These asylum seekers were recast by the Australian government, albeit for a short period, as potential hijackers of the ship and dangerous and threatening to the Tampa's captain and crew (Marr and Wilkinson, 2003).

To discourage sympathy for the asylum seekers on SIEV 4 (Suspected Illegal Entry Vessel 4), which arrived in October 2001, the government directed its photographers that no "humanising" photos of the asylum seekers were to be taken or circulated publicly (Skehan, 2002).

Reinterpretation of the Action

Supporters of refugee rights emphasise the right of asylum seekers to humane treatment according to international conventions. The government, on the other hand, presents itself as following the law. In its own terms this is correct, in that Australian legislation has been passed that mandates treatment of asylum seekers using detention camps, temporary protection visas and the like. The government then can present itself as following the law and using proper procedures. In addition, the government talks about protecting Australians from an invasion of dangerous foreigners.

In October 2001, an overcrowded and unseaworthy boat with 223 sick and exhausted asylum seekers was sinking. Photos showed children in the water, whom the government said had been thrown overboard by immoral parents seeking to blackmail the government into providing asylum. Known as the "children overboard" affair, the government's interpretation of what was happening legitimated its treatment of the asylum seekers. A Senate inquiry into the government's role in the "children overboard" affair found "through a combination of denial, obfuscation and misleading statements, the media, senior officials and the public were deliberately and systematically deceived" (Forbes and Gordon, 2002).

The government revised its own borders, excising Ashmore Reef and Christmas Island from Australia for the purposes of migration, thereby redefining what are legitimate arrival locations for asylum seekers. It also emphasised protection of Australia's borders from unwanted arrivals.

Official Channels

Official channels reduce outrage about injustice when they give assurance that justice is being provided. Asylum seekers have been offered a variety of formal procedures to obtain justice. These include formal application for refugee status, processes for obtaining visas, and appeals against rejected applications. These processes give the appearance of due process and fair treatment, but in practice are stacked against applicants. For example, the so-called "queue" - formal avenues for applying for refugee status - does not exist in many countries, where there are no places to make

applications. Furthermore, many asylum seekers have no suitable documents. From within an Australian detention centre, the process for obtaining various sorts of visas is slow, bureaucratic and includes punitive restrictions on visa-holders. Thus, in most cases the available official channels give only the appearance of justice with little substance.

The Tampa saga led supporters of refugees to mount many legal challenges to government treatment of asylum seekers, but without obvious major victories. When these challenges were publicised, this sometimes raised awareness about the treatment of asylum seekers.

Intimidation and Bribery

The Australian government's border protection policies, including the Pacific Solution, served as a punitive strategy to deter asylum seekers from the mainland. It sought to hide the treatment of asylum seekers and refugees from the media, refugee advocates and lawyers. Deals done with poor neighbouring countries such as Papua New Guinea and Nauru resulted in the Australian government budgeting $240 million in 2002-2003 (Brennan, 2003).

The Australian government's least publicised border protection strategy, known as Operation Relex, was implemented to prevent asylum seekers reaching Australian shores. The Australian Federal Police participated with the Indonesian national police in a "disruption program" that employed strike teams to "disrupt and dismantle" people smuggling operations. The sabotage of asylum seeker boats, with the intention of sinking them close offshore, is recorded as an official strategy employed by participants of Operation Relex (Marr and Wilkinson, 2003).

In view of the existence of this "disruption program," questions have been asked, but not satisfactorily answered, on the sinking of SIEV X, where only 46 of the 399 asylum seekers survived.

In the Tampa story, the inference of "dangerous" boat people was unsustainable and the emphasis shifted to the rescuer when the Australian government threatened the captain of the Tampa with the charge of

people smuggling should he fail to take the sick and terrified asylum seekers to an Indonesian port (Marr and Wilkinson, 2003).

In summary, in detention camps and during the Tampa standoff, the children overboard affair and various border protection operations, the Australian government employed at different times all five techniques for inhibiting backfire. Efforts to cover up official strategies to repel, make invisible or punish asylum seekers were crucial in assisting the government to win the November 2001 election. However, these tactics eventually provoked outrage, inspired whistleblowers and motivated investigations for truthful information from official and unofficial quarters. The government had more success with dehumanising the asylum seekers. Countering this were creative efforts to tell the real stories of asylum seekers in mainstream film, theatre, song and story-telling. Many varied attempts at reinterpreting the situation around asylum seekers exposed the underlying agenda of political opportunism and xenophobia. Legal challenges to the government's immigration and detention policies sometimes served to highlight the issues but possibly were less successful in bringing about systemic reform and justice. Intimidation operated on many levels and significantly reduced the voices of asylum seekers themselves who were at the mercy of the government. Eventually, countries participating in the Pacific Solution spoke out about the flaws in this scheme and the political expediency that motivated it.

Conclusion

Backfire analysis serves as an important tool for activists by providing a framework based on examination of significant attacks on vulnerable groups. Most importantly, the framework suggests practical responses to injustice: for example, to counter cover-up, expose the injustice; to counter devaluation, humanise the targets; to counter reinterpretation, emphasise intuitive understandings of injustice; to counter the bog of official channels, focus on campaigning; to counter intimidation, persist in the face of attacks.

Backfire analysis offers insights that can help activists to develop strategies, such as exposing unjust actions,

mobilising public concern and expose intimidation, to counter unjust political decision-making and undemocratic attacks against citizens. Promoting backfire can see activists publicly correcting official misinformation, laying blame at the door of attackers, correcting the official interpretations of events through their films and statements, gathering truthful information and disseminating it in a variety of creative and grassroots methods.

Oppressors can use the backfire framework too, to obtain guidance on limiting protest. But most oppressors believe they are in the right, not that they are engaged in injustice. Therefore, it is far more advantageous for everyone to know about how to promote outrage from injustice.

When the shock of unjust attacks by governments and institutions is combined with the impact of the many methods they employ to inhibit backfire, even the experienced activist can feel overwhelmed and immobilised. The backfire framework provides a useful guide for developing proactive initiatives to create backfire against the perpetrators.

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